

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

## **PLAYTEX PRODUCTS INC.,**

## **Plaintiff,**

-VS-

Case No. C-1-02-391

# **PROCTER & GAMBLE CO.,**

## **Defendant.**

## **AMENDED ORDER SETTING NEW BRIEFING AND TRIAL SCHEDULE**

This matter was before the Court for a scheduling conference on April 28, 2005. As a result of that conference the Court would ORDER that the following briefing and trial schedule be set:

- |                                                                                                                   |                                            |
|-------------------------------------------------------------------------------------------------------------------|--------------------------------------------|
| 1. Supplement expert reports regarding liability<br>in light of the Federal Circuit Court of Appeals<br>decision: |                                            |
| Defendants:                                                                                                       | <u>July 29, 2005</u>                       |
| Plaintiff's Rebuttal:                                                                                             | <u>August 31, 2005</u>                     |
| 2. Cut-off for fact discovery regarding damages:                                                                  | <u>September 30, 2005</u>                  |
| 3. Cut-off for depositions of experts regarding liability:                                                        | <u>September 30, 2005</u>                  |
| 4. Exchange expert reports regarding liability:                                                                   | <u>October 31, 2005</u>                    |
| 5. Cut-off for depositions of experts regarding liability:                                                        | <u>December 15, 2005</u>                   |
| 6. Motions not directed to the pleadings:                                                                         | <u>January 15, 2006</u>                    |
| 7. Joint final pretrial order to be filed by:                                                                     | <u>June 7, 2006</u>                        |
| 8. Final pretrial conference in chambers:                                                                         | <u>June 13, 2006</u><br><u>@ 3:30 p.m.</u> |
| 9. Jury trial:                                                                                                    | <u>July 17, 2006</u>                       |

**DONE** and **ORDERED** in Dayton, Ohio, this 20<sup>th</sup> day of April, 2004.

**s/Thomas M. Rose**

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THOMAS M. ROSE  
UNITED STATES DISTRICT JUDGE